

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

**UNITED STATES OF AMERICA**

v.

**Criminal No. 07-0316**  
**ELECTRONICALLY FILED**

**LOUIS BENISH**

**Order of Court**

Pending before this Court is defendant's motion to terminate electronically monitored home detention as a condition of probation (doc. no. 21). On December 14, 2007, this Court sentenced defendant to a term of three years of probation with six months of electronically monitored home detention after pleading guilty to a charge of conspiracy under 18 U.S.C. § 371. Defendant now seeks to have the electronic monitoring portion of his sentence suspended because his workers' compensation benefits have been suspended based upon his sentence. The Court will DENY defendant's motion as the Court is without authority to modify the terms of probation because the judgment of conviction is a final judgment and defendant's request does not fall within one of the enumerated narrow circumstances under 18 U.S.C. § 3562(b).

SO ORDERED this 26<sup>th</sup> day of February, 2008.

s/Arthur J. Schwab  
Arthur J. Schwab  
United States District Judge

cc: All Registered ECF Counsel and Parties